

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

LIQUI-SYSTEMS, INC.,

Plaintiff,

v.

MILTON ROY, LLC,

Defendant.

ORDER

15-cv-797-jdp

MILTON ROY, LLC f/k/a
MILTON ROY COMPANY

Plaintiff,

v.

LIQUI-SYSTEMS, INC.,

Defendant.

ORDER

15-cv-801-jdp

The parties have agreed that the above-captioned cases present the same questions of fact and law, and that the cases should be consolidated pursuant to Federal Rule of Civil Procedure 42. As the court has indicated, this consolidation will be “for all purposes.” *See Ivanov-McPhee v. Wash. Nat. Ins. Co.*, 719 F.2d 927, 930 (7th Cir. 1983). The court will administratively close case number 15-cv-801, and the parties may continue this litigation in case number 15-cv-797. Liqui-Systems, Inc. must file an amended complaint in 15-cv-797 to address the jurisdictional issues that the court identified in its previous order. Once Liqui-Systems has served its amended complaint, Milton Roy, LLC may assert its affirmative claims from 15-cv-801 as counterclaims. The parties should file all future submissions in 15-cv-797 only.

ORDER

IT IS ORDERED that:

1. Case numbers 15-cv-797 and 15-cv-801 are consolidated for all purposes, pursuant to Federal Rule of Civil Procedure 42(a). The clerk of court is directed to administratively close case number 15-cv-801.
2. Liqui-Systems, Inc. may have until January 4, 2016, to file an amended complaint containing good faith allegations sufficient to establish complete diversity of citizenship for purposes of determining whether the court has subject matter jurisdiction under 28 U.S.C. § 1332.

Entered December 21, 2015.

BY THE COURT:

/s/

JAMES D. PETERSON
District Judge